

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELVIN GENAO,

Plaintiff,

-against-

5TH PRECINCT,

Defendant.

20-CV-2834 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff brings this action *pro se*. Plaintiff has not paid the filing fees or submitted an application to proceed without prepayment of fees, that is, *in forma pauperis* (“IFP”), to bring this action. On June 5, 2019, the Court barred Plaintiff from filing any new federal civil action IFP without first obtaining from the Court leave to file. *See Genao v. Saint Pauls Church*, 1:19-CV-2704, 6 (S.D.N.Y. June 5, 2019). To the extent that Plaintiff seeks to bring this complaint IFP, the Court dismisses this action without prejudice for Plaintiff’s failure to comply with the June 5, 2019 order.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: April 7, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge